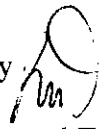


**MEMORANDUM**

TO: County Council

FROM: Robert H. Drummer, Legislative Attorney 

SUBJECT: **Introduction:** Bill 27-08, Motor Vehicles and Traffic – Parking Regulations – Commercial Vehicles, Recreational Vehicles and Buses

Bill 27-08, Motor Vehicles and Traffic – Parking Regulations – Commercial Vehicles, Recreational Vehicles and Buses, sponsored by Council President Knapp, is scheduled to be introduced on June 24, 2008. A public hearing is tentatively scheduled for July 22 at 7:30 p.m.

Bill 27-08 would prohibit the parking of commercial vehicles, buses and recreational vehicles on a public roadway if either side of the street abuts a block containing a private residence, apartment house, church, school, hospital or playground, except under certain circumstances, and generally amend the law regarding vehicle parking.

This packet contains

Bill 27-08

Legislative Request Report

Circle

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5

Bill No. 27-08  
Concerning: Motor Vehicles and Traffic –  
Parking Regulations – Commercial  
Vehicles, Recreational Vehicles, and  
Buses  
Revised: 5/29/08 Draft No. 3  
Introduced: June 24, 2008  
Expires: December 24, 2009  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President

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**AN ACT** to:

- (1) prohibit the parking of commercial vehicles, buses, and recreational vehicles in certain areas; and
- (2) generally amend the law regarding vehicle parking.

And amending

Montgomery County Code  
Chapter 31, Parking  
Sections 31-1 and 31-14

|                              |                                                            |
|------------------------------|------------------------------------------------------------|
| <b>Boldface</b>              | <i>Heading or defined term.</i>                            |
| <u>Underlining</u>           | <i>Added to existing law by original bill.</i>             |
| [Single boldface brackets]   | <i>Deleted from existing law by original bill.</i>         |
| <u>Double underlining</u>    | <i>Added by amendment.</i>                                 |
| [[Double boldface brackets]] | <i>Deleted from existing law or the bill by amendment.</i> |
| * * *                        | <i>Existing law unaffected by bill.</i>                    |

*The County Council for Montgomery County, Maryland approves the following Act:*

**Sec. 1. Sections 31-1 and 31-14 are amended as follows:**

**31-1. Definitions.**

\* \* \*

Block: That property abutting one side of a street and lying between the 2 nearest intersecting or intercepting streets or the nearest intersecting or intercepting street and railroad right-of-way, unsubdivided acreage, river or live stream or between any of the foregoing and any other barrier to the continuity of development.

\* \* \*

*Commercial vehicle:* Any motor vehicle and [any] tandem axle trailer or semitrailer designed and used for carrying freight or merchandise [and every motor vehicle] or used in [any way in the] furtherance of any commercial enterprise [.] that has:

(a) a gross vehicle weight (GVW) of more than 10,000 pounds;

(b) a manufacturer's rated capacity of more than 1 ton;

(c) a length of more than 19 feet; or

(d) a height of more than 8 feet.

[Such term] A commercial vehicle does not include a motor vehicle owned by the County or other governmental agency and used primarily for carrying passengers or materials [or other vehicle of a capacity of one (1) ton or less].

\* \* \*

20 Recreational vehicle: A duly licensed and registered vehicle, with or without  
 21 motor power, which is solely intended for the leisure use of the operator and guests.

22 For the purpose of this Chapter the following is a recreational vehicle:

23 (a) motor home;

24 (b) travel trailer;

25 (c) camper or camping trailer including truck insert or collapsible unit; or

26 (d) non-freight trailer, as defined by the State Motor Vehicle  
 27 Administration, used to transport other leisure equipment such as a boat,  
 28 horse, motorcycle, show car, race car, snowmobile, or bicycle.

29 \* \* \*

30 **31-14. Parking of commercial vehicles, recreational vehicles, or buses near**  
 31 **[abutting] residences, schools, [etc] churches, hospitals or playgrounds.**

32 [It shall be unlawful to] A person must not park any commercial vehicle,  
 33 recreational vehicle, or bus on [that side of] any public [road] roadway if either side  
 34 of the street [abutting] abuts a block containing [any] a private residence, apartment  
 35 house, church, school, hospital or playground, except:

36 (a) [when such] a vehicle that is [actually] engaged in loading or  
 37 unloading passengers, merchandise or materials;[:]

(b) [when] a commercial vehicle used by the owner or operator  
[actively] when engaged in work on the premises of the residence,  
apartment house, church, school, hospital or playground;[.]

(c) a bus that [At authorized terminal stands of bus routes operating under  
a permit from the state public service commission,] stops [may be  
made for a sufficient] for a period of time, not to exceed [thirty (30)]  
30 minutes, [for the purpose of maintaining schedules] to maintain a  
schedule at an authorized terminal stand for a bus route operating under  
a permit from the State Public Service Commission; [.]

(d) [This section shall not apply to] a vehicle that is involuntarily  
parked because of mechanical failure or other emergency[, provided  
such vehicle is removed within] for a reasonable period of time; or

(e) a recreational vehicle parked not more than 12 hours.

Approved:

Michael J. Knapp, President, County Council

Date

Approved:

Isiah Leggett, County Executive

Date

## LEGISLATIVE REQUEST REPORT

Bill 27-08

### Motor Vehicles and Traffic – Parking Regulations

**DESCRIPTION:** This bill would prohibit the parking of commercial vehicles, buses and recreational vehicles on a public roadway if either side of the street abuts a block containing a private residence, apartment house, church, school, hospital or playground except under certain circumstances and generally amend the law regarding vehicle parking.

**PROBLEM:** The County has received a number of complaints concerning parking of over sized vehicles on County streets. These over sized vehicles obstruct both traffic and pedestrian crossings.

**GOALS AND OBJECTIVES:** The goal of this bill is clear these over sized vehicles from public roadways near a private residence, apartment house, church, school, hospital or playground.

**COORDINATION:** County Executive's Office, Montgomery County Police Department

**FISCAL IMPACT:** To be requested.

**ECONOMIC IMPACT:** To be requested.

**EVALUATION:** To be requested.

**EXPERIENCE ELSEWHERE:** Fairfax County Municipal Code authorizes the establishment of community parking districts with similar prohibitions on parking of over sized vehicles.

**SOURCE OF INFORMATION:** Robert H. Drummer, Legislative Attorney

**APPLICATION WITHIN MUNICIPALITIES:** To be researched.

**PENALTIES:** Class B Violation – Fine established by regulation not to exceed \$200.